



**PLANNING BOARD**

**Report to Town Meeting**

**ARTICLE 10 PROFESSIONAL OFFICES IN LIGHT INDUSTRIAL**

- A.** To see if the Town will amend Section 3.358.1, Technical or professional office, of the Zoning Bylaw by changing the permit requirement in the Light Industrial (LI) District from N (No) to SP (Special Permit), as follows:

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3.358.1 Technical or professional office such as architect, engineer, lawyer, financial services, or similar office providing services predominantly by appointment to the public in person on the premises

R-O

R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	COM	OP	LI	PRP	FPC
N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	<del>N</del> SP	SPR	N

For the purposes of this section, the public shall be defined as including all persons acting as customers or clients receiving services. "Predominantly by appointment" shall mean that a majority of customers or clients who are provided services in person on the premises during any extended period of operation (monthly, quarterly, or annually) shall do so through prior appointment. Exceptions shall be discretionary follow-up visits by customers or clients with regard to services already provided, visits by affiliated professionals or consultants, salespersons, service contractors (delivery, maintenance, etc.), and the like. Office uses under this section shall advertise their on-premises services as being available to the general public only by appointment.

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- B.** To see if the Town will amend the Official Zoning Map by changing the zoning designation on the following properties in the following manner:

Map 11D, Parcel 183 – Extending the LI District into the north and northwest portions of the property, currently zoned R-G, such that the entire property is within the LI District.

Map 14B, Parcel 48 – Rezoning the eastern end of the property from LI to R-G, such that the entire property is within the R-G District.

Recommendation

The Planning Board recommended (6-0) that Town Meeting adopt this article.

### Background

Prior to the Fall 2007 Special Town Meeting, the Planning Board, during its development of amendments to the regulations governing offices in the PRP District, also considered and deferred several other related amendments. One of these concerned office uses in the LI District, and is the subject of Article 10.

*Allowing Professional Offices in LI* - Article 10 proposes to change the permit requirement for technical and professional offices in the LI District from N (No) to SP (ZBA Special Permit). This would slightly increase the range of permitted uses in the LI District by allowing a low visitation/low impact office use.

Amherst has very few LI Districts. One LI area is in North Amherst, west of Route 116 and on both sides of Meadow Street (see map). The other is a single isolated property with frontage on Grove Street off North Whitney Street (see map)—an isolated survivor of Amherst's 19<sup>th</sup> century industrial heritage along the railroad tracks in this area.

The LI District was created many years ago to provide space for manufacturing and lighting manufacturing activities. By allowing professional offices to locate there, less land area may remain for the more intensive manufacturing uses for which the LI District was created. The Planning Board concluded, however, that the kinds of business activities that develop in Amherst or are attracted here are not manufacturing concerns. Amherst's PRP and OP districts accommodate light manufacturing and R&D uses, which are the more likely uses to locate in Amherst. Allowing professional offices in LI simply acknowledges the longstanding trend toward information businesses and R&D concerns, and away from assembly lines for wood planes, palm leaf hats, leather novelties, baby carriages, and Bowie-knife pistols (all former products of Amherst industry).

*Correcting the Boundaries* - Article 10 also proposes to adjust the boundaries of the LI district off North Whitney Street so that the zoning designation corresponds to the property boundaries of the actual former mill property. Currently, the boundaries of the LI District associated with this old mill slop over onto the rear of an adjacent residential property to the south of the mill building, and fail to include portions of the mill property on the north and northwest corners of the property. In fact, a portion of the north end of the mill building itself is currently outside the LI District, which creates non-conformities and permitting difficulties for the property. By changing the LI zoning district so that it corresponds to the property lines, the zoning and permitting in this area will be made more rational.

### Public Hearing

The Planning Board held a public hearing on Article 10 on Wednesday, October 15. After hearing from the property owners and further discussion, the Planning Board voted 6-0 to recommend that Town Meeting adopt Article 10.